

Message Text

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ACTION AF-06

INFO OCT-01 ISO-00 SS-15 SP-02 NSC-05 L-03 FBO-02 A-01

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R 060940Z FEB 76

FM AMEMBASSY COTONOU

TO SECSTATE WASHDC 8109

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EO 11652: NA

TAGS: AFSP, PFOR, DM, US

SUBJ: BENIN GOVT FORMALLY NOTIFIES EMBASSY IT HAS CONFISCATED
AMB'S RESIDENCE

REF A - 75 COTONOU 1886, B - 75 COTONOU 1648,

SUMMARY: THIS MESSAGE INFORMS DEPT THAT THE BENIN GOVT HAS
FORMALLY NOTIFIED EMBASSY OF CONFISCATION OF AMB'S RESIDENCE
FROM ITS FORMER OWNER RENE ZINSOU, ASKS USG TO BEGIN MAKING RENTAL
PAYMENTS TO THE GOVT'S ACCOUNT, AND STATES THAT IF EMBASSY
WISHES, GOVT WILL CONSIDER MAKING A NEW LEASE. IT ALSOSUB-
MITS FOR DEPT'S APPROVAL PROPOSED TEXT OF EMBASSY'S REPLY TO
FORNMINISTRY. END SUMMARY

1. BENIN FORNMINISTRY HAS SENT EMBASSY A NOTE COVERING
A FORM LETTER FROM INTERIOR MIN, ADDRESSED TO AMB, NOTIFYING
HIM THAT IN ACCORDANCE WITH GOVT DECREE OF 28 NOV 75, THE
RESIDENCE OF RENE ZINSOU OCCUPIED BY THE AMB HAS BEEN CONFIS-
CATED EFFECTIVE 26 OCT 75. (ZINSOU IS A POLITICAL EXILE
UNDER SENTENCE OF DEATH BY KANGAROO COURT LAST MARCH.)

2. TEXT OF INTERIOR MIN'S FORM LETTER FOLLOWS: QTE

TO: USA AMBASSADOR, C/O MINISTRY OF FOREIGN AFFAIRS.
OBJECT: CONFISCATION OF PROPERTY OF VOLUNTARY EXILES.
REFERENCE: ORDONNANCE NO 75-76 OF 28 NOV 75.
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I HAVE THE HONOR TO INFORM YOU THAT THE BUILDING THAT YOU OCCUPY AS WELL AS THE FURNITURE FOUND THEREIN AND BELONG TO COMRADE ZINSOU RENE WHO HAS VOLUNTARILY GONE INTO EXILE FROM THE PRB HAVE BEEN CONFISCATED FOR STATE USE.

CONSEQUENTLY YOU SHOULD DEPOSIT TO THE STATE THE RENTS, EFFECTIVE 26 OCT 75. AN ACCOUNT NO 30,696 HAS BEEN OPENED AT THE BANQUE COMMERCIALE DU BENIN (EX-SDB) FOR THIS PURPOSE.

AT YOUR REQUEST AND INsofar AS THE COMPETENT AUTHORITIES JUDGE IT CONVENIENT, A NEW LEASE WILL BE MADE AS OF JAN 1, 1976.

YOU WILL PLEASE FORWARD TO US AT THE SAME TIME AS YOUR REQUEST FOR THE NEW LEASE, THE OLD LEASE SIGNED BY THE FORMER OWNER. UNQTE

3. EMBASSY PROPOSES TO REPLY TO FORNMINISTRY BY NOTE AS FOLLOWS (SUBSTANTIVE PORTIONS ONLY):

QTE. PRIOR TO ITS CONFISCATION, THE RESIDENCE IN QUESTION WAS THE PROPERTY OF MR RENE ZINSOU. THE LEASE FOR IT WAS SIGNED ON 1 AUG 1973, FOR A FIVE YEAR PERIOD ENDING JULY 31, 1978. THE LEASE PROVIDES THAT IT IS RENEWABLE FOR TWO FURTHER TWO-YEAR PERIODS. AT THE TIME OF SIGNATURE IN 1973, THE LEASE ESTABLISHED THAT RENTAL PAYMENTS WOULD BE MADE TWICE ANNUALLY, IN EACH CASE FOR SIX MONTHS IN ADVANCE. THIS LEASE WAS AMENDED IN MID 75 TO PROVIDE FOR PAYMENT OF THREE YEARS' RENT IN ADVANCE. THE AMENDMENT WAS MADE IN ORDER TO ASSIST THE LANDLORD TO MAKE PAYMENTS ON A MORTGAGE LOAN THAT THE EX-BICID EXTENDED TO HIM FOR THE CONSTRUCTION OF THE HOUSE. A ONE YEAR PAYMENT IN ADVANCE, FOR THE PERIOD AUG 1, 1975, TO JULY 31, 1976, WAS DEPOSITED IN THE ACCOUNT OF MR RENE ZINSOU IN THE EX-BICID, COTONOU. AS A RESULT, THE EMBASSY IS NOT LIABLE TO PAYMENT OF RENT UNTIL AUG 1, 1976.

THE EMBASSY, WHICH DESIRES TO RETAIN THE USE OF THE RESIDENCE, IS PREPARED TO SIGN A LEASE WITH THE COMPETENT AUTHORITIES OF THE BENINESE GOVT. THE RATES OF THE RENTAL HAVE ALREADY BEEN ESTABLISHED BY CONTRACT FOR THE NEXT SIX AND A LIMITED OFFICIAL USE

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HALF YEARS. IT IS ASSUMED THAT ANY LEASE WITH THE BENINESE GOVT WOULD HONOR THE AGREEMENT REACHED BETWEEN THE PREVIOUS OWNER AND THE EMBASSY. RENTAL RATES AFTER AUG 1, 1982, WOULD, OF COURSE, BE A MATTER OF LATER NEGOTIATION.

THE FORM LETTER OF THE MIN OF INTERIOR AND SECURITY REFERRED TO IN PARA ONE ABOVE STATES THAT THE FURNITURE IN THIS RESIDENCE BELONG TO MR RENE ZINSOU, THAT INFORMATION IS ERRONEOUS.

ALL OF THE FURNITURE AND EQUIPMENT IN THE RESIDENCE IS THE PROPERTY OF THE UNITED STATES OF AMERICA. UNQTE.

4. ACTION RECOMMENDED: EMBASSY WOULD APPRECIATE DEPT'S INSTRUCTIONS RE TEXT OF NOTE.
ENGLE

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